

ORIGINAL

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DISTRICT COURT OF GUAM

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IN THE UNITED STATES DISTRICT COURT

FOR THE TERRITORY OF GUAM

08-00004

UNITED STATES OF AMERICA,

Plaintiff,

vs.

EUN YOUNG LEE,

aka Eun Young Cho,

aka Ina Lee,

MARCELINO J. LASERNA,

JOHN W.C. DUENAS,

MARY C. GARCIA,

JOSEPH PANGELINAN,

FRANCISCO SN KAWAMOTO, and

MARGARET B. UNTALAN,

Defendants.

CRIMINAL CASE NO. _____

INDICTMENT

CRIMINAL CONSPIRACY

[18 U.S.C. §§ 2 & 371]

(COUNTS I thru VI)

FRAUD CONCERNING

IDENTIFICATION DOCUMENTS

[18 U.S.C. §§ 2; 1028(a)(1); 1028(b)(1)(A)(ii);

1028(c)(1) & 1028(c)(3)(A)]

(COUNTS VII thru XXIII)

THE GRAND JURY CHARGES:

INTRODUCTION

1. At all times relevant to this Indictment, the Guam Department of Revenue and Taxation (the Department) Motor Vehicle Division (MVD) was a component unit and agency of the Government of Guam. The MVD's responsibilities included the licensing, registration, and related enforcement functions concerning the operation of motor vehicles on Guam. In

1 particular, the MVD was responsible for administering the examination and licensing program
2 for all drivers on Guam's highways, pursuant to the requirements of 16 Guam Code Annotated, §
3 3101.

4 2. The United States Internal Revenue Service (IRS) issued a tax processing number,
5 called an Individual Taxpayer Identification Number (TIN) to individuals who were required to
6 have a U.S. taxpayer identification number but did not, or were not eligible to obtain a Social
7 Security Number from the Social Security Administration. To qualify for and to receive a TIN,
8 the individual had to have a tax filing requirement and had to file a valid federal income tax
9 return.

10 3. The MVD motor vehicle examiners were responsible for ensuring that Guam driver's
11 licenses and learner's permits were issued only to qualified persons as provided by Guam statute
12 and by MVD's rules and regulations. The MVD had a standard operating procedure for the
13 issuance of driver's licenses and learner's permits. The applicant was required to provide
14 biographical and personal information on an application form, which included the applicant's
15 Social Security Number (SSN) or Taxpayer Identification Number (TIN). The applicant was
16 required to sign the form, declaring under penalty of perjury that the information contained
17 therein was true, and to personally present it to an MVD examiner. The examiner was required
18 to verify the information provided and enter the pertinent data into the MVD central computer.
19 In particular, it was the examiner's duty to determine the true and correct identity of the
20 applicant, and ensure that the correct biographical and identification data of each applicant was
21 recorded in the MVD central computer. Every examiner knew that upon entry of this
22 information, the MVD computer would create a file under the applicant's name, using the SSN
23 or TIN on the application. The examiner would schedule language or driving tests if required.
24 After the applicant had passed the required tests, or immediately if no tests were necessary, the
25 applicant's vision was tested and he was photographed. The MVD computer would print out the
26 license data, and the applicant would present that printout to the Department cashier and pay the
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1 applicable license fee. The cashier would stamp a receipt of payment on the printout. The
2 applicant would then return to the examiner's counter, present the stamped printout and receive
3 his Guam driver's license or learner's permit.

4 4. At all times relevant to this indictment, regular Guam driver's licenses were valid for
5 three years after the first anniversary of the date of birth of the applicant the date of issue; Guam
6 learner's permits were valid for ninety (90) days from the date of issue.

7 5. At all times relevant to this indictment, 16 Guam Code Annotated (GCA) § 3101(c)
8 permitted an alien holding a valid operator's license from his country of origin to drive upon
9 Guam highways for a period not exceeding thirty (30) days from the date such person arrived on
10 Guam. To continue legally driving on Guam, however, the alien must have been issued a Guam
11 driver's license prior to the expiration of the thirty-day period. Upon issuance of this special
12 license, the alien was allowed to continue legally driving on Guam for up to one (1) year from the
13 date he arrived on Guam, unless the license issued from his country of origin expired before then.
14 To obtain such a special license, the alien was required to register his license from his country of
15 origin with the Department of Revenue and Taxation and to pay a registration fee as required by
16 the Director of the Guam Department of Revenue and Taxation or his designee. Effective July
17 16, 2004, MVD regulations allowed an alien with a valid passport to qualify for a Guam driver's
18 license, but only if the alien submitted letters from both the Internal Revenue Service and the
19 Social Security Administration, to the effect that the alien had applied for a SSC or TIN, and his
20 application had been denied.

21 6. Aliens who did not apply for a Guam driver's license thirty (30) days after their arrival
22 on Guam, or who did not apply to register their operator's licenses from their countries of origin
23 within thirty (30) days after their arrival on Guam, were not eligible for the program established
24 by 16 Guam Code Annotated, § 3101(c). Such aliens were required to submit a driver's license
25 or learner's permit application to the MVD in the same manner as lawful residents of the United
26 States, as provided by 16 GCA § 3101(f).

1 7. MVD regulations required that applicants seeking a Guam driver's license or learner's
2 permit, as provided by 16 GCA § 3101(f), have in their possession a valid Individual Taxpayer
3 Identification Number (TIN) or Social Security Card (SSC) or a written verification of an SS
4 number from the Social Security Administration prior to being issued a driver's license.

5 8. Guam has a Tourist Visa Waiver program for the Republic of Korea, which allows
6 Korean citizens legally to enter and remain on Guam as tourists for no more than fifteen (15)
7 days. Any Korean citizen who has entered Guam under that program and remains after the 15-
8 day period is in violation of United States immigration laws and is subject to immediate arrest
9 and deportation by United States Customs and Border Protection.

10 9. At all times relevant to this indictment, the Guam Department of Revenue and
11 Taxation had a Memorandum of Understanding and Agreement with the University of Guam,
12 wherein the University would proctor, score and tabulate written examinations taken by
13 applicants for a Guam driver's license. A passing score on the written examination was required
14 before the applicant could receive a Guam driver's license.

15 10. At all times relevant to this indictment, defendant EUN YOUNG LEE had contracted
16 with the University of Guam to act as a Korean translator for the MVD driver's license written
17 examination and other translation assignments related thereto. Her duties included truly and
18 accurately translating the examination from English into Korean for the benefit of Korean-
19 speaking applicants for Guam driver's licenses.

20 11. At all times relevant to this indictment, MARCELINO J. LASERNA, JOHN W.C.
21 DUENAS, MARY C. GARCIA, JOSEPH PANGELINAN, FRANCISCO SN KAWAMOTO,
22 and MARGARET B. UNTALAN, were employed as examiners for the Guam Department of
23 Revenue and Taxation Motor Vehicle Division.

24 12. At all times relevant to this indictment, the production of a Guam driver's license or
25 learner's permit was in and did affect interstate or foreign commerce.

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1 and receive the license or learner's permit. In this manner, Guam driver's licenses and learner's
2 permits were illegally issued to aliens who were unlawfully in the United States.

3 COUNT I - CRIMINAL CONSPIRACY

4 15. Paragraphs 1 through 14 are incorporated and realleged herein.

5 16. Beginning on or about February 4, 2004, and continuing through March, 2005, within
6 the District of Guam, the defendants herein, EUN YOUNG LEE, and MARCELINO J.

7 LASERNA, did willfully and knowingly combine, conspire, confederate and agree with each
8 other and with others both known and unknown to the Grand Jury, to commit the offense of
9 Fraud in Connection with Identification Documents, in violation of Title 18, United States Code,
10 Section 1028(a)(1), and to aid, abet, counsel, command, induce and procure the conspiracy
11 charged in this count and willfully cause others to perform acts and make statements in
12 furtherance of the conspiracy, and did perform the following overt acts for the purpose of
13 carrying out the conspiracy:

14 17. On February 20, 2004, MARCELINO J. LASERNA created two files in the MVD
15 computer for driver's license applications in the names of Sung Min Shin and Ki Cheol Han,
16 having received these applications from EUN YOUNG LEE, and knowing that LEE had created
17 a false and fraudulent Taxpayer Identification Number (TIN) for each application.

18 18. On February 23, 2004, MARCELINO J. LASERNA created three files in the MVD
19 computer for driver's license applications in the names of Jung Soo Yang, Young Min Ho, and
20 Geun Jae Lee, having received these applications from EUN YOUNG LEE, and knowing that
21 LEE had created a false and fraudulent Taxpayer Identification Number (TIN) for each
22 application.

23 19. On March 1, 2004, MARCELINO J. LASERNA created two files in the MVD
24 computer for driver's license applications in the names of Seung Pill Choi and Dong Pyo Hong,
25 having received these applications from EUN YOUNG LEE, and knowing that LEE had created
26 a false and fraudulent Taxpayer Identification Number (TIN) for each application.

1 20. On March 16, 2004, MARCELINO LASERNA created a file in the MVD computer
2 for a driver's license application in the name of Mi Ra Kim, having received this application
3 from EUN YOUNG LEE, and knowing that LEE had created a false and fraudulent Taxpayer
4 Identification Number (TIN) for this application.

5 21. On March 16, 2004, MARCELINO J. LASERNA created a file in the MVD
6 computer for a driver's license application in the name of Deuk Soon Choi, having received this
7 application from EUN YOUNG LEE, and knowing that LEE had created a false and fraudulent
8 Taxpayer Identification Number (TIN) for this application.

9 22. On April 12, 2004, MARCELINO J. LASERNA created a file in the MVD computer
10 for a driver's license application in the name of Chun Ja Cho, having received this application
11 from EUN YOUNG LEE, and knowing that LEE had created a false and fraudulent Taxpayer
12 Identification Number (TIN) for this application.

13 23. On May 20, 2004, MARCELINO J. LASERNA created a file in the MVD computer
14 for a driver's license application in the name of Jong Yeon Hwang, having received this
15 application from EUN YOUNG LEE, and knowing that LEE had created a false and fraudulent
16 Taxpayer Identification Number (TIN) for this application.

17 24. On May 25, 2004, MARCELINO J. LASERNA created two files in the MVD
18 computer for driver's license applications in the names of Jun Sung Min and Hae Sook Kang,
19 having received these applications from EUN YOUNG LEE, and knowing that LEE had created
20 a false and fraudulent Taxpayer Identification Number (TIN) for each application.

21 25. On August 26, 2004, MARCELINO J. LASERNA created a file in the MVD
22 computer for a driver's license application in the name of Jae Min Lee, having received this
23 application from EUN YOUNG LEE, and knowing that LEE had created a false and fraudulent
24 Taxpayer Identification Number (TIN) for this application.

25 26. On October 25, 2004, MARCELINO J. LASERNA created two files in the MVD
26 computer for driver's license applications in the names of Tae Kwun Jung and Won Il Koh,
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1 having received these applications from EUN YOUNG LEE, and knowing that LEE had created
2 a false and fraudulent Taxpayer Identification Number (TIN) for each application.

3 27. On November 9, 2004, MARCELINO J. LASERNA created two files in the MVD
4 computer for driver's license applications in the names of In Hwan Cho and Hyuk Su Kang,
5 having received these applications from EUN YOUNG LEE, and knowing that LEE had created
6 a false and fraudulent Taxpayer Identification Number (TIN) for each application.

7 28. On November 30, 2004, MARCELINO J. LASERNA created three files in the MVD
8 computer for driver's license applications in the names of Myung Sug Kim, Jae Hoan Seok and
9 Tae Ho Kim, having received these applications from EUN YOUNG LEE, and knowing that
10 LEE had created a false and fraudulent Taxpayer Identification Number (TIN) for each
11 application.

12 29. On March 11, 2005, MARCELINO J. LASERNA created a file in the MVD
13 computer for a learner's permit application in the name of Hak Ja Park, having received this
14 application from EUN YOUNG LEE, and knowing that LEE had created a false and fraudulent
15 Taxpayer Identification Number (TIN) for this application.

16 30. On August 3, 2005, MARCELINO J. LASERNA created a file in the MVD computer
17 for a driver's license application in the name of Sung Kyu Hong, having received this application
18 from EUN YOUNG LEE, and knowing that LEE had created a false and fraudulent Taxpayer
19 Identification Number (TIN) for this application.

20 ALL IN VIOLATION OF Title 18, United States Code, Sections 2 and 371.

21 COUNT II - CRIMINAL CONSPIRACY

22 31. Paragraphs 1 through 14 are incorporated and realleged herein.

23 32. Beginning on or about February 4, 2004, and continuing through March, 2005, within
24 the District of Guam, the defendants herein, EUN YOUNG LEE, and JOHN W.C. DUENAS, did
25 willfully and knowingly combine, conspire, confederate and agree with each other and with
26 others both known and unknown to the Grand Jury, to commit the offense of Fraud in
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1 Connection with Identification Documents, in violation of Title 18, United States Code, Section
2 1028(a)(1), and to aid, abet, counsel, command, induce and procure the conspiracy charged in
3 this count and willfully cause others to perform acts and make statements in furtherance of the
4 conspiracy, and did perform the following overt acts for the purpose of carrying out the
5 conspiracy:

6 33. On May 5, 2004, JOHN W.C. DUENAS created a file in the MVD computer for a
7 driver's license application in the name of Sang Jin Park, having received this application from
8 EUN YOUNG LEE, and knowing that LEE had created a false and fraudulent Taxpayer
9 Identification Number (TIN) for this application.

10 34. On July 6, 2004, JOHN W.C. DUENAS created two files in the MVD computer for
11 driver's license applications in the names of Ha Young Kim and You Soon Kim, having received
12 these applications from EUN YOUNG LEE, and knowing that LEE had created a false and
13 fraudulent Taxpayer Identification Number (TIN) for each application.

14 35. On August 3, 2004, JOHN DUENAS created two files in the MVD computer for
15 driver's license applications in the names of Sang C Ryu and Jeong Min Ham, having received
16 these applications from EUN YOUNG LEE, and knowing that LEE had created a false and
17 fraudulent Taxpayer Identification Number (TIN) for each application.

18 ALL IN VIOLATION OF Title 18, United States Code, Sections 2 and 371.

19 COUNT III - CRIMINAL CONSPIRACY

20 36. Paragraphs 1 through 14 are incorporated and realleged herein.

21 37. Beginning on or about February 4, 2004, and continuing through March, 2005, within
22 the District of Guam, the defendants herein, EUN YOUNG LEE, and MARY C. GARCIA, did
23 willfully and knowingly combine, conspire, confederate and agree with each other and with
24 others both known and unknown to the Grand Jury, to commit the offense of Fraud in
25 Connection with Identification Documents, in violation of Title 18, United States Code, Section
26 1028(a)(1), and to aid, abet, counsel, command, induce and procure the conspiracy charged in
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1 this count and willfully cause others to perform acts and make statements in furtherance of the
2 conspiracy, and did perform the following overt acts for the purpose of carrying out the
3 conspiracy:

4 38. On July 20, 2004, MARY C. GARCIA created three files in the MVD computer for
5 driver's license applications in the names of Kil Ja Lee, Keun Seok Bang and Jin Woo Park,
6 having received these applications from EUN YOUNG LEE, and knowing that LEE had created
7 a false and fraudulent Taxpayer Identification Number (TIN) for each application.

8 39. On July 20, 2005, MARY C. GARCIA created a file in the MVD computer for a
9 driver's license application in the name of Kyung Ja Park, having received this application from
10 EUN YOUNG LEE, and knowing that LEE had created a false and fraudulent Taxpayer
11 Identification Number (TIN) for this application.

12 40. On August 2, 2005, MARY C. GARCIA created a file in the MVD computer for a
13 driver's license application in the name of Jum Soo Park, having received this application from
14 EUN YOUNG LEE, and knowing that LEE had created a false and fraudulent Taxpayer
15 Identification Number (TIN) for this application.

16 ALL IN VIOLATION OF Title 18, United States Code, Sections 2 and 371.

17 COUNT IV - CRIMINAL CONSPIRACY

18 41. Paragraphs 1 through 14 are incorporated and realleged herein.

19 42. Beginning on or about February 4, 2004, and continuing through March, 2005, within
20 the District of Guam, the defendants herein, EUN YOUNG LEE, and JOSEPH PANGELINAN,
21 did willfully and knowingly combine, conspire, confederate and agree with each other and with
22 others both known and unknown to the Grand Jury, to commit the offense of Fraud in
23 Connection with Identification Documents, in violation of Title 18, United States Code, Section
24 1028(a)(1), and to aid, abet, counsel, command, induce and procure the conspiracy charged in
25 this count and willfully cause others to perform acts and make statements in furtherance of the
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1 conspiracy, and did perform the following overt acts for the purpose of carrying out the
2 conspiracy:

3 43. On March 16, 2004, JOSEPH PANGELINAN created a file in the MVD computer
4 for a driver's license application in the name of Ok Sun Kim, having received this application
5 from EUN YOUNG LEE, and knowing that LEE had created a false and fraudulent Taxpayer
6 Identification Number (TIN) for this application.

7 44. On March 15, 2005, JOSEPH PANGELINAN created a file in the MVD computer
8 for a driver's license application in the name of Tong Hun Lee, having received this application
9 from EUN YOUNG LEE, and knowing that LEE had created a false and fraudulent Taxpayer
10 Identification Number (TIN) for this application.

11 45. On March 29, 2005, JOSEPH PANGELINAN created two files in the MVD
12 computer for driver's license applications in the names of Tae Sung Choi, and Sang Mee Chun,
13 having received these applications from EUN YOUNG LEE, and knowing that LEE had created
14 a false and fraudulent Taxpayer Identification Number (TIN) for each application.

15 46. On April 12, 2005, JOSEPH PANGELINAN created three files in the MVD
16 computer for driver's license applications in the names of Yu Suk Kang, Yeong Beom Gim, and
17 Ang Mi Choi, having received these applications from EUN YOUNG LEE, and knowing that
18 LEE had created a false and fraudulent Taxpayer Identification Number (TIN) for each
19 application.

20 ALL IN VIOLATION OF Title 18, United States Code, Sections 2 and 371.

21 COUNT V - CRIMINAL CONSPIRACY

22 47. Paragraphs 1 through 14 are incorporated and realleged herein.

23 48. Beginning on or about February 4, 2004, and continuing through March, 2005, within
24 the District of Guam, the defendants herein, EUN YOUNG LEE, and FRANCISCO SN
25 KAWAMOTO, did willfully and knowingly combine, conspire, confederate and agree with each
26 other and with others both known and unknown to the Grand Jury, to commit the offense of
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1 Fraud in Connection with Identification Documents, in violation of Title 18, United States Code,
2 Section 1028(a)(1), and to aid, abet, counsel, command, induce and procure the conspiracy
3 charged in this count and willfully cause others to perform acts and make statements in
4 furtherance of the conspiracy, and did perform the following overt acts for the purpose of
5 carrying out the conspiracy:

6 49. On May 26, 2004, FRANCISCO SN KAWAMOTO created two files in the MVD
7 computer for driver's license applications in the names of Haeng Hwa Lee and Jung Il Chae,
8 having received these applications from EUN YOUNG LEE, and knowing that LEE had created
9 a false and fraudulent Taxpayer Identification Number (TIN) for each application.

10 50. On January 31, 2005, FRANCISCO SN KAWAMOTO created a file in the MVD
11 computer for a driver's license application in the name of Sang Ho Kim, having received this
12 application from EUN YOUNG LEE, and knowing that LEE had created a false and fraudulent
13 Taxpayer Identification Number (TIN) for this application.

14 51. On May 3, 2005, FRANCISCO SN KAWAMOTO created a file in the MVD
15 computer for a driver's license application in the name of Mi Jung Kim, having received this
16 application from EUN YOUNG LEE, and knowing that LEE had created a false and fraudulent
17 Taxpayer Identification Number (TIN) for this application.

18 52. On August 2, 2005, FRANCISCO SN KAWAMOTO created a file in the MVD
19 computer for a driver's license application in the name of Dong Mi Kang, having received this
20 application from EUN YOUNG LEE, and knowing that LEE had created a false and fraudulent
21 Taxpayer Identification Number (TIN) for this application.

22 53. On September 14, 2005, FRANCISCO SN KAWAMOTO created a file in the MVD
23 computer for a driver's license application in the name of Dong Mi Kang, having received this
24 application from EUN YOUNG LEE, and knowing that LEE had created a false and fraudulent
25 Taxpayer Identification Number (TIN) for this application.

26 ALL IN VIOLATION OF Title 18, United States Code, Sections 2 and 371.
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COUNT VI - CRIMINAL CONSPIRACY

54. Paragraphs 1 through 14 are incorporated and realleged herein.

55. Beginning on or about February 4, 2004, and continuing through March, 2005, within the District of Guam, the defendants herein, EUN YOUNG LEE, and MARGARET B. UNTALAN, did willfully and knowingly combine, conspire, confederate and agree with each other and with others both known and unknown to the Grand Jury, to commit the offense of

Fraud in Connection with Identification Documents, in violation of Title 18, United States Code, Section 1028(a)(1), and to aid, abet, counsel, command, induce and procure the conspiracy charged in this count and willfully cause others to perform acts and make statements in furtherance of the conspiracy, and did perform the following overt acts for the purpose of carrying out the conspiracy:

56. On April 14, 2004, MARGARET B. UNTALAN created a file in the MVD computer for a driver's license application in the name of Sung Jun Han, having received this application from EUN YOUNG LEE, and knowing that LEE had created a false and fraudulent Taxpayer Identification Number (TIN) for this application.

57. On January 18, 2005, MARGARET B. UNTALAN created three files in the MVD computer for driver's license applications and a learner's permit in the names of Dong Sik Jung, Min Chul Lee, and Ji Eon Lee, having received these applications from EUN YOUNG LEE, and knowing that LEE had created a false and fraudulent Taxpayer Identification Number (TIN) for each application, which TIN purported to be the applicant's lawful identification.

58. On November 9, 2005, MARGARET B. UNTALAN created a file in the MVD computer for a driver's license application in the name of Young Nam Kim, having received this application from EUN YOUNG LEE, and knowing that LEE had created a false and fraudulent Taxpayer Identification Number (TIN) for this application.

59. On November 28, 2005, MARGARET B. UNTALAN created a file in the MVD computer for a beginner's permit application in the name of Jung Ja Oh, having received this

1 application from EUN YOUNG LEE and Jung Suk Kim, and knowing that this application bore
2 a false and fraudulent Taxpayer Identification Number (TIN).

3 ALL IN VIOLATION OF Title 18, United States Code, Sections 2 and 371.

4 COUNT VII - FRAUD IN CONNECTION WITH IDENTIFICATION DOCUMENTS

5 60. Paragraphs 1 through 14 are incorporated and realleged herein.

6 61. On or about March 10, 2004, in the District of Guam, the defendants herein,

7 MARCELINO J. LASERNA and EUN YOUNG LEE, did knowingly and without lawful
8 authority produce more than five (5) identification documents, authentication features and false
9 identification documents, to-wit:

10 a) Guam driver's license number 122 809 6863 in the name Sung Min Shin, by means of
11 a false TIN, 936-72-6981;

12 b) Guam driver's license number 122 809 6865 in the name Ki Cheol Han, by means of a
13 false TIN, 943-72-5685;

14 c) Guam learner's permit in the name of Jung Soo Yang, by means of a false TIN, 943-
15 79-5679;

16 d) Guam driver's license number 122 809 6843 in the name Young Min Ko, by means of
17 a false TIN, 936-72-6975;

18 e) Guam driver's license number 122 809 6868 in the name of Geun Jae Lee, by means of
19 a false TIN, 989-14-5678;

20 f) Guam driver's license number 122 809 6852 in the name of Seung Pill Choi, by means
21 of a false TIN, 953-19-0616; and

22 g) Guam driver's license number 122 809 6842 in the name of Dong Pyo Hong, by means
23 of a false TIN, 943-01-0203,

24 and the production of said driver's licenses and permits was in and affected interstate and foreign
25 commerce,

26 ALL IN VIOLATION of Title 18, United States Code, Sections 2, 1028(a)(1),
27 1028(b)(1)(A)(ii), 1028(b)(1)(B), 1028(c)(1) & 1028(c)(3)(A).
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1 COUNT VIII - FRAUD IN CONNECTION WITH IDENTIFICATION DOCUMENT

2 62. Paragraphs 1 through 14 are incorporated and realleged herein.

3 63. On or about June 4, 2004, in the District of Guam, the defendants herein,
4 MARCELINO J.LASERNA and EUN YOUNG LEE, did knowingly and without lawful
5 authority produce two (2) identification documents, authentication features and false
6 identification documents, to-wit: Guam driver's license number 122 810 0584 in the name Jun
7 Sung Min, by means of a false TIN, 952-89-0139; and Guam driver's license number 122 810
8 0582 in the name Hae Sook Kang, by means of a false TIN, 953-40-1750, and the production of
9 said driver's licenses was in and affected interstate and foreign commerce,

10 ALL IN VIOLATION of Title 18, United States Code, Sections 2, 1028(a)(1),
11 1028(b)(1)(A)(ii), 1028(c)(1) & 1028(c)(3)(A).

12 COUNT IX - FRAUD IN CONNECTION WITH IDENTIFICATION DOCUMENT

13 64. Paragraphs 1 through 14 are incorporated and realleged herein.

14 65. On or about November 4, 2004, in the District of Guam, the defendants herein,
15 MARCELINO J. LASERNA and EUN YOUNG LEE, did knowingly and without lawful
16 authority produce three (3) identification documents, authentication features and false
17 identification documents, to-wit: Guam driver's license number 122 810 5782 in the name Jae
18 Min Lee, by means of a false TIN, 946-19-8060; Guam driver's license number 122 810 5786 in
19 the name Tae Kwun Jung by means of a false TIN, 952-72-0968; and Guam driver's license
20 number 122 810 5781 in the name Won Il Koh, by means of a false TIN, 952-07-1208, and the
21 production of said driver's licenses was in and affected interstate and foreign commerce,

22 ALL IN VIOLATION of Title 18, United States Code, Sections 2, 1028(a)(1),
23 1028(b)(1)(A)(ii), 1028(c)(1) & 1028(c)(3)(A).

24 COUNT X - FRAUD IN CONNECTION WITH IDENTIFICATION DOCUMENT

25 66. Paragraphs 1 through 14 are incorporated and realleged herein.

26 67. On or about December 13, 2004, in the District of Guam, the defendants herein,
27 MARCELINO J. LASERNA and EUN YOUNG LEE, did knowingly and without lawful
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1 authority produce an identification document, authentication feature and false identification
2 document, to-wit: Guam driver's license number 122 810 6836 in the name Jae Hoan Seok, by
3 means of a false TIN, 963-90-1908, and the production of said driver's licenses was in and
4 affected interstate and foreign commerce,

5 ALL IN VIOLATION of Title 18, United States Code, Sections 2, 1028(a)(1),
6 1028(b)(1)(A)(ii), 1028(c)(1) & 1028(c)(3)(A).

7 COUNT XI - FRAUD IN CONNECTION WITH IDENTIFICATION DOCUMENT

8 68. Paragraphs 1 through 14 are incorporated and realleged herein.

9 69. On or about March 24, 2005, in the District of Guam, the defendants herein, JOSEPH
10 PANGELINAN and EUN YOUNG LEE, did knowingly and without lawful authority produce an
11 identification document, authentication feature and false identification document, to-wit: a Guam
12 driver's license number 122 810 8858 in the name Tong Hun Lee, by means of a false TIN, 952-
13 13-4058, and the production of said learner's permit was in and affected interstate and foreign
14 commerce,

15 ALL IN VIOLATION of Title 18, United States Code, Sections 2, 1028(a)(1),
16 1028(b)(1)(A)(ii), 1028(c)(1) & 1028(c)(3)(A).

17 COUNT XII - FRAUD IN CONNECTION WITH IDENTIFICATION DOCUMENT

18 70. Paragraphs 1 through 14 are incorporated and realleged herein.

19 71. On or about April 8, 2005, in the District of Guam, the defendants herein, JOSEPH
20 PANGELINAN and EUN YOUNG LEE, did knowingly and without lawful authority produce
21 two identification documents, authentication features and false identification documents, to-wit:
22 Guam driver's license number 122 810 9153 in the name Tae Sung Choi, by means of a false
23 TIN, 952-80-1058, and an illegal duplicate driver's license in the name Mike Park, number 122
24 810 8937, and the production of said driver's license was in and affected interstate and foreign
25 commerce,

26 ALL IN VIOLATION of Title 18, United States Code, Sections 2, 1028(a)(1),
27 1028(b)(1)(A)(ii), 1028(c)(1) & 1028(c)(3)(A).

1 COUNT XIII - FRAUD IN CONNECTION WITH IDENTIFICATION DOCUMENT

2 72. Paragraphs 1 through 14 are incorporated and realleged herein.

3 73. On or about April 21, 2005, in the District of Guam, the defendants herein, JOSEPH
4 PANGELINAN and EUN YOUNG LEE, did knowingly and without lawful authority produce
5 two identification documents, authentication features and false identification documents, to-wit:
6 Guam driver's license number 122 810 9358 in the name Yu Suk Kang, by means of a false TIN,
7 963-72-2809, and Guam Driver's license number 122 810 9359 in the name Yeong Beom Gim,
8 by means of a false TIN, 952-73-7051, and the production of said driver's licenses was in and
9 affected interstate and foreign commerce,

10 ALL IN VIOLATION of Title 18, United States Code, Sections 2, 1028(a)(1),
11 1028(b)(1)(A)(ii), 1028(c)(1) & 1028(c)(3)(A).

12 COUNT XIV - FRAUD IN CONNECTION WITH IDENTIFICATION DOCUMENT

13 74. Paragraphs 1 through 14 are incorporated and realleged herein.

14 75. On or about January 27, 2005, in the District of Guam, the defendants herein,
15 MARGARET B. UNTALAN and EUN YOUNG LEE, did knowingly and without lawful
16 authority produce two identification documents, authentication features and false identification
17 documents, to-wit: Guam driver's license 122 810 7744 in the name Min Chul Lee, by means of
18 a false TIN, 952-70-4916, and a Guam learner's permit in the name Ji Eon Lee, by means of a
19 false TIN, 952-80-7064, and the production of said driver's license and learner's permit was in
20 and affected interstate and foreign commerce,

21 ALL IN VIOLATION of Title 18, United States Code, Sections 2, 1028(a)(1),
22 1028(b)(1)(A)(ii), 1028(c)(1) & 1028(c)(3)(A).

23 COUNT XV - FRAUD IN CONNECTION WITH IDENTIFICATION DOCUMENT

24 76. Paragraphs 1 through 14 are incorporated and realleged herein.

25 77. On or about December 7, 2005, in the District of Guam, the defendants herein,
26 MARGAET B. UNTALAN and EUN YOUNG LEE, did knowingly and without lawful authority
27 produce an identification document, authentication feature and false identification document, to-
28

1 wit: a Guam learner's permit in the name Jung Ja Oh, by means of a false TIN, 952-01-4611, and
2 the production of said learner's permit was in and affected interstate and foreign commerce,

3 ALL IN VIOLATION of Title 18, United States Code, Sections 2, 1028(a)(1),
4 1028(b)(1)(A)(ii), 1028(c)(1) & 1028(c)(3)(A).

5 COUNT XVI - FRAUD IN CONNECTION WITH IDENTIFICATION DOCUMENT

6 78. Paragraphs 1 through 14 are incorporated and realleged herein.

7 79. On or about July 14, 2004, in the District of Guam, the defendants herein, JOHN
8 DUENAS and EUN YOUNG LEE, did knowingly and without lawful authority produce an
9 identification document, authentication feature and false identification document, to-wit: Guam
10 driver's license number 122 810 1989 in the name You Soon Kim by means of a false TIN, 946-
11 15-9803, and the production of said driver's license was in and affected interstate and foreign
12 commerce,

13 ALL IN VIOLATION of Title 18, United States Code, Sections 2, 1028(a)(1),
14 1028(b)(1)(A)(ii), 1028(c)(1) & 1028(c)(3)(A).

15 COUNT XVII - FRAUD IN CONNECTION WITH IDENTIFICATION DOCUMENT

16 80. Paragraphs 1 through 14 are incorporated and realleged herein.

17 81. On or about August 11, 2004, in the District of Guam, the defendants herein, JOHN
18 DUENAS and EUN YOUNG LEE, did knowingly and without lawful authority produce an
19 identification document, authentication feature and false identification document, to-wit: Guam
20 driver's license number 122 810 2977 in the name Jeong Min Ham, by means of a false TIN,
21 946-09-8514 and the production of said driver's license was in and affected interstate and foreign
22 commerce,

23 ALL IN VIOLATION of Title 18, United States Code, Sections 2, 1028(a)(1),
24 1028(b)(1)(A)(ii), 1028(c)(1) & 1028(c)(3)(A).

25 COUNT XVIII - FRAUD IN CONNECTION WITH IDENTIFICATION DOCUMENT

26 82. Paragraphs 1 through 14 are incorporated and realleged herein.

27 83. On or about August 12, 2004, in the District of Guam, the defendants herein, JOHN
28

1 DUENAS and EUN YOUNG LEE, did knowingly and without lawful authority produce an
2 identification document, authentication feature and false identification document, to-wit: Guam
3 driver's license number 122 810 3034 in the name Sang C Ryu, by means of a false TIN, 953-09-
4 1094, and the production of said driver's license was in and affected interstate and foreign
5 commerce,

6 ALL IN VIOLATION of Title 18, United States Code, Sections 2, 1028(a)(1),
7 1028(b)(1)(A)(ii), 1028(c)(1) & 1028(c)(3)(A).

8 COUNT XIX - FRAUD IN CONNECTION WITH IDENTIFICATION DOCUMENT

9 84. Paragraphs 1 through 14 are incorporated and realleged herein.

10 85. On or about June 4, 2004, in the District of Guam, the defendants herein,
11 FRANCISCO SN KAWAMOTO and EUN YOUNG LEE, did knowingly and without lawful
12 authority produce an identification document, authentication feature and false identification
13 document, to-wit: Guam driver's license number 122 810 0592 in the name Haeng Hwa Lee, by
14 means of a false TIN, 953-12-0756, and the production of said learner's permit was in and
15 affected interstate and foreign commerce,

16 ALL IN VIOLATION of Title 18, United States Code, Sections 2, 1028(a)(1),
17 1028(b)(1)(A)(ii), 1028(c)(1) & 1028(c)(3)(A).

18 COUNT XX - FRAUD IN CONNECTION WITH IDENTIFICATION DOCUMENT

19 86. Paragraphs 1 through 14 are incorporated and realleged herein.

20 87. On or about May 12, 2005, in the District of Guam, the defendants herein,
21 FRANCISCO SN KAWAMOTO and EUN YOUNG LEE, did knowingly and without lawful
22 authority produce an identification document, authentication feature and false identification
23 document, to-wit: Guam driver's license number 122 810 9667 in the name Mi Jung Kim, by
24 means of a false TIN, 952-10-2806, and the production of said driver's license was in and
25 affected interstate and foreign commerce,

26 ALL IN VIOLATION of Title 18, United States Code, Sections 2, 1028(a)(1),
27 1028(b)(1)(A)(ii), 1028(c)(1) & 1028(c)(3)(A).

1 COUNT XXI - FRAUD IN CONNECTION WITH IDENTIFICATION DOCUMENT

2 88. Paragraphs 1 through 14 are incorporated and realleged herein.

3 89. On or about July 27, 2004, in the District of Guam, the defendants herein, MARY C.
4 GARCIA and EUN YOUNG LEE, did knowingly and without lawful authority produce an
5 identification document, authentication feature and false identification document, to-wit: a Guam
6 learner's permit in the name of Kil Ja Lee, by means of a false TIN, 952-71-7923, and the
7 production of said learner's permit was in and affected interstate and foreign commerce,

8 ALL IN VIOLATION of Title 18, United States Code, Sections 2, 1028(a)(1),
9 1028(b)(1)(A)(ii), 1028(c)(1) & 1028(c)(3)(A).

10 COUNT XXII - FRAUD IN CONNECTION WITH IDENTIFICATION DOCUMENT

11 90. Paragraphs 1 through 14 are incorporated and realleged herein.

12 91. On or about July 28, 2004, in the District of Guam, the defendants herein, MARY C.
13 GARCIA and EUN YOUNG LEE, did knowingly and without lawful authority produce an
14 identification document, authentication feature and false identification document, to-wit: Guam
15 driver's license number 122 810 2441 in the name Keun Seok Bang, by means of a false TIN,
16 952-02-0460, and the production of said driver's license was in and affected interstate and
17 foreign commerce,

18 ALL IN VIOLATION of Title 18, United States Code, Sections 2, 1028(a)(1),
19 1028(b)(1)(A)(ii), 1028(c)(1) & 1028(c)(3)(A).

20 COUNT XXIII - FRAUD IN CONNECTION WITH IDENTIFICATION DOCUMENT

21 92. Paragraphs 1 through 14 are incorporated and realleged herein.

22 93. On or about July 28, 2005, in the District of Guam, the defendants herein, MARY C.
23 GARCIA and EUN YOUNG LEE, did knowingly and without lawful authority produce an
24 identification document, authentication feature and false identification document, to-wit: Guam
25 driver's license number 122 811 0900 in the name Kyung Ja Park, by means of a false TIN,
26 952-70-4019, and the production of said driver's license was in and affected interstate and
27 foreign commerce,

1 ALL IN VIOLATION of Title 18, United States Code, Sections 2, 1028(a)(1),
2 1028(b)(1)(A)(ii), 1028(c)(1) & 1028(c)(3)(A).

3 Dated this 23rd day of January, 2008.

4 A TRUE BILL.

5
6
7
8 LEONARDO M. RAPADAS
9 United States Attorney
Districts of Guam and NMI

REDACTED

10
11 By: 

12 KARON V. JOHNSON
Assistant U.S. Attorney

13 Reviewed:

14
15 By: 

16 JEFFREY J. STRAND
First Assistant U.S. Attorney
17
18
19
20
21
22
23
24
25
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27
28

Place of Offense:

City Hagåtña

Related Case Information:

08-00004

Country/Parish _____

Superseding Indictment _____ Docket Number _____

Same Defendant x New Defendant _____

Search Warrant Case Number _____

R 20/ R 40 from District of _____

Defendant Information:

Juvenile: Yes _____ No X Matter to be sealed: _____ Yes x NoDefendant Name JOHN W.C. DUENAS

Alias Name _____

Address _____

GuamRECEIVED
JAN 23 2008DISTRICT COURT OF GUAM
HAGATNA, GUAMBirthdate Xx/xx/19 SS# xxx-xx- Sex M Race PI Nationality Chamorro

U.S. Attorney Information:

AUSA Karon V. JohnsonInterpreter: X No _____ Yes _____ List language and/or dialect: _____

Location Status:

Arrest Date _____

☐ Already in Federal Custody as of _____ in _____☐ Already in State Custody☐ On Pretrial Release

U.S.C. Citations

Total # of Counts: _____ Petty _____ Misdemeanor _____ Felony

Index Key/CodeDescription of Offense ChargedCount(s)Set 1 18 USC 2 & 371 Criminal Conspiracy 2Set 2 18 USC 2; 1028(a)(1) Fraud Concerning Identification Documents 16-17-18
1028(b)(1)(A)(ii); 1028(c)(1) & 1028(c)(3)(A)

Set 3 _____

Set 4 _____

(May be continued on reverse)

Date: 1/23/08 Signature of AUSA: Karon V. Johnson

Place of Offense:

City Hagåtña

Related Case Information:

08-00004

Country/Parish _____

Superseding Indictment _____ Docket Number _____
Same Defendant x New Defendant _____
Search Warrant Case Number _____
R 20/ R 40 from District of _____

Defendant Information:

Juvenile: Yes _____ No X Matter to be sealed: _____ Yes x NoDefendant Name JOSEPH PANGELINAN

Alias Name _____

Address _____

GuamRECEIVED
JAN 23 2008DISTRICT COURT OF GUAM
HAGATNA, GUAMBirthdate XX/XX/19 SS# XXX-XX- Sex M Race PI Nationality Chamorro

U.S. Attorney Information:

AUSA Karon V. JohnsonInterpreter: X No _____ Yes _____ List language and/or dialect: _____

Location Status:

Arrest Date _____

☐ Already in Federal Custody as of _____ in _____☐ Already in State Custody☐ On Pretrial Release

U.S.C. Citations

Total # of Counts: _____ Petty _____ Misdemeanor _____ Felony

Index Key/CodeDescription of Offense ChargedCount(s)Set 1 18 USC 2 & 371 Criminal Conspiracy 4Set 2 18 USC 2; 1028(a)(1) Fraud Concerning Identification Documents 11-12-13
1028(b)(1)(A)(ii); 1028(c)(1) & 1028(c)(3)(A)

Set 3 _____

Set 4 _____

(May be continued on reverse)

Date: 1/23/08 Signature of AUSA: Karon V Johnson

Place of Offense:

City Hagåtña

Related Case Information:

Country/Parish _____

Superseding Indictment _____ Docket Number **08-00004**Same Defendant x New Defendant _____

Search Warrant Case Number _____

R 20/ R 40 from District of _____

Defendant Information:

Juvenile: Yes _____ No X Matter to be sealed: _____ Yes x NoDefendant Name FRANCISCO S.N. KAWAMOTO

Alias Name _____

Address _____

GuamRECEIVED
JAN 23 2008DISTRICT COURT OF GUAM
HAGATNA, GUAMBirthdate XX/XX/19 SS# xxx-xx- Sex M Race PI Nationality Chamorro

U.S. Attorney Information:

AUSA Karon V. JohnsonInterpreter: X No _____ Yes _____ List language and/or dialect: _____

Location Status:

Arrest Date _____

☐ Already in Federal Custody as of _____ in _____☐ Already in State Custody☐ On Pretrial Release

U.S.C. Citations

Total # of Counts: _____ Petty _____ Misdemeanor _____ Felony

Index Key/Code

Description of Offense Charged

Count(s)

Set 1 18 USC 2 & 371 Criminal Conspiracy 5Set 2 18 USC 2; 1028(a)(1) Fraud Concerning Identification Documents 19-20
1028(b)(1)(A)(ii); 1028(c)(1) & 1028(c)(3)(A)

Set 3 _____

Set 4 _____

(May be continued on reverse)

Date: 1/23/08 Signature of AUSA: Karon V. Johnson

Place of Offense:

City Hagåtña

Related Case Information:

08-00004

Country/Parish _____

Superseding Indictment _____ Docket Number _____

Same Defendant x New Defendant _____

Search Warrant Case Number _____

R 20/ R 40 from District of _____

Defendant Information:

Juvenile: Yes _____ No X Matter to be sealed: _____ Yes x NoDefendant Name MARY C. GARCIA

Alias Name _____

Address _____

GuamRECEIVED
JAN 23 2008DISTRICT COURT OF GUAM
HAGATNA, GUAMBirthdate Xx/xx/19 SS# xxx-xx- Sex F Race PI Nationality Chamorro

U.S. Attorney Information:

AUSA Karon V. JohnsonInterpreter: X No _____ Yes _____ List language and/or dialect: _____

Location Status:

Arrest Date _____

☐ Already in Federal Custody as of _____ in _____☐ Already in State Custody☐ On Pretrial Release

U.S.C. Citations

Total # of Counts: _____ Petty _____ Misdemeanor _____ Felony

Index Key/CodeDescription of Offense ChargedCount(s)Set 1 18 USC 2 & 371 Criminal Conspiracy 3Set 2 18 USC 2; 1028(a)(1) Fraud Concerning Identification Documents 21-22-231028(b)(1)(A)(ii); 1028(c)(1) & 1028(c)(3)(A)

Set 3 _____

Set 4 _____

(May be continued on reverse)

Date: 1/23/08 Signature of AUSA: Karon V. Johnson

Place of Offense:
City Hagåtña

Country/Parish _____

Related Case Information:
Superseding Indictment _____ Docket Number **08-00004**
Same Defendant x New Defendant _____
Search Warrant Case Number _____
R 20/ R 40 from District of _____

Defendant Information:

Juvenile: Yes _____ No X Matter to be sealed: _____ Yes x No

Defendant Name MARGARET B. UNTALAN
Alias Name _____
Address _____
Guam

RECEIVED
JAN 23 2008
DISTRICT COURT OF GUAM
HAGATNA, GUAM

Birthdate Xx/xx/19 SS# xxx-xx- Sex F Race PI Nationality Chamorro

U.S. Attorney Information:

AUSA Karon V. Johnson

Interpreter: X No _____ Yes _____ List language and/or dialect: _____

Location Status:

Arrest Date _____
☐ Already in Federal Custody as of _____ in _____
☐ Already in State Custody
☐ On Pretrial Release

U.S.C. Citations

Total # of Counts: _____		Petty _____ Misdemeanor _____ Felony _____
<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count(s)</u>
Set 1 <u>18 USC 2 & 371</u>	<u>Criminal Conspiracy</u>	<u>6</u>
Set 2 <u>18 USC 2; 1028(a)(1)</u>	<u>Fraud Concerning Identification Documents</u>	<u>14-15</u>
	<u>1028(b)(1)(A)(ii); 1028(c)(1) & 1028(c)(3)(A)</u>	
Set 3 _____	_____	_____
Set 4 _____	_____	_____

(May be continued on reverse)

Date: 1/23/08 Signature of AUSA: [Signature] for Karon Johnson

Place of Offense:

City Hagåtña

Related Case Information:

Country/Parish _____

 Superseding Indictment _____ Docket Number **08-00004**
 Same Defendant x New Defendant _____
 Search Warrant Case Number _____
 R 20/ R 40 from District of _____

Defendant Information:

 Juvenile: Yes _____ No X Matter to be sealed: _____ Yes x No
Defendant Name EUN YOUNG LEE

Alias Name _____

Address _____

Guam
 Birthdate Xx/xx/19 SS# xxx-xx- Sex F Race A Nationality Korean

U.S. Attorney Information:

AUSA Karon V. Johnson
 Interpreter: X No _____ Yes _____ List language and/or dialect: _____

RECEIVED
JAN 23 2008

 DISTRICT COURT OF GUAM
 HAGATNA, GUAM

Location Status:

Arrest Date _____

☐ Already in Federal Custody as of _____ in _____

☐ Already in State Custody

☐ On Pretrial Release

U.S.C. Citations

Total # of Counts: _____ Petty _____ Misdemeanor _____ Felony

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count(s)</u>
Set 1	<u>18 USC 2 & 371</u>	<u>Criminal Conspiracy</u>	<u>1-6</u>
Set 2	<u>18 USC 2; 1028(a)(1)</u>	<u>Fraud Concerning Identification Documents</u>	<u>7-23</u>
	<u>1028(b)(1)(A)(ii); 1028(c)(1) & 1028(c)(3)(A)</u>		
Set 3	_____	_____	_____
Set 4	_____	_____	_____

(May be continued on reverse)

 Date: 1/23/08 Signature of AUSA: Karon V. Johnson

Place of Offense:

City Hagåtña

Related Case Information:

08-00004

Country/Parish _____

Superseding Indictment _____ Docket Number _____

Same Defendant x New Defendant _____

Search Warrant Case Number _____

R 20/ R 40 from District of _____

Defendant Information:

Juvenile: Yes _____ No X Matter to be sealed: _____ Yes x NoDefendant Name MARCELINO J. LASERNA

Alias Name _____

Address _____

GuamRECEIVED
JAN 23 2008DISTRICT COURT OF GUAM
HAGATNA, GUAMBirthdate Xx/xx/19 SS# xxx-xx- Sex M Race A Nationality Filipino

U.S. Attorney Information:

AUSA Karon V. JohnsonInterpreter: X No _____ Yes _____ List language and/or dialect: _____

Location Status:

Arrest Date _____

☐ Already in Federal Custody as of _____ in _____☐ Already in State Custody☐ On Pretrial Release

U.S.C. Citations

Total # of Counts: _____ Petty _____ Misdemeanor _____ Felony

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count(s)</u>
Set 1	<u>18 USC 2 & 371</u>	<u>Criminal Conspiracy</u>	<u>1</u>
Set 2	<u>18 USC 2; 1028(a)(1)</u>	<u>Fraud Concerning Identification Documents</u>	<u>7-8-9-10</u>
	<u>1028(b)(1)(A)(ii); 1028(c)(1) & 1028(c)(3)(A)</u>		
Set 3	_____	_____	_____
Set 4	_____	_____	_____

(May be continued on reverse)

Date: 1/23/08 Signature of AUSA: Karon V. Johnson